

OGE Use Only

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United States
Office of Government Ethics

2003 AGENCY ETHICS PROGRAM QUESTIONNAIRE

Your response to this questionnaire will constitute your annual report for 2003. Section 402(e)(1) of the Ethics in Government Act of 1978, as amended, requires that executive agencies submit an annual report to the Office of Government Ethics (OGE) concerning certain aspects of their ethics programs. This annual report shall be filed with OGE on or before February 1 of each year (5 C.F.R. § 2638.602(a)).

Please respond to each question as completely and accurately as possible. Also, please print or type neatly and try to keep your responses confined to the assigned blocks or spaces. Use an [X] where appropriate. You may attach additional sheets as necessary. Be sure to clearly indicate which question you are answering on all attached sheets. Throughout the questionnaire, your responses should reflect the calendar year (i.e., 1/1/03 through 12/31/03) except where specified.

If you have any questions, contact Barbara Mullen-Roth at 202-208-8000.

DEADLINE: FEBRUARY 1, 2004

ORGANIZATION/RESOURCES

1. Agency _____
2. _____ Number of full-time agency employees?
3. _____ Name and title of the Designated Agency Ethics Official (DAEO)?
4. _____ % Approximate percent of the DAEO's time spent on ethics?
5. _____ Name and title of the Alternate DAEO?
6. _____ % Approximate percent of the Alternate DAEO's time spent on ethics?
7. ____ Yes ____ No Does your agency have regional or field office ethics officials?
8. _____ Number of ethics officials who worked in the ethics program in 2003? Include employees who worked in the region or field offices.

_____ Number of ethics officials who worked full time on ethics?
 _____ Number of ethics officials who worked part time on ethics?

9. _____ Number of regional and field office ethics officials?

Functional locations(s) of regional/field ethics officials? Mark all that apply.

_____ Legal office
 _____ Human Resources office
 _____ Employee Relations office
 _____ Other (specify): _____

PROGRAM ADMINISTRATION

1. Please use the following scale to rate the amount of time you spend to administer each item.
 Time Spent scale: 1= No time spent to administer to 5 = A great deal of time spent to administer.

| | | <u>Time spent</u> | | | | |
|----|--|-------------------|---|---|---|---|
| a. | Public financial disclosure system | 1 | 2 | 3 | 4 | 5 |
| b. | Confidential financial disclosure system | 1 | 2 | 3 | 4 | 5 |
| c. | Outside activity approval system | 1 | 2 | 3 | 4 | 5 |
| d. | Written opinions and counseling | 1 | 2 | 3 | 4 | 5 |
| e. | Education and training | 1 | 2 | 3 | 4 | 5 |
| f. | Disciplinary process for violations | 1 | 2 | 3 | 4 | 5 |
| g. | Special Government employees' activities (See page 8 for definition of special Government employee.) | 1 | 2 | 3 | 4 | 5 |
| h. | Developing information technology applications for any aspect of the ethics program | 1 | 2 | 3 | 4 | 5 |

2. Please indicate which ethics program areas(s) your agency contracted out in 2003.
 Mark all that apply.

_____ a. Initial ethics orientation
 _____ b. Annual ethics training
 _____ c. Financial disclosure review
 _____ d. Internal program evaluation
 _____ e. Advice and counseling
 _____ f. Program administration (tracking systems, databases etc.)
 _____ g. Other: _____

3. Please indicate which part(s) of your ethics program are automated?

_____ a. Initial ethics orientation
 _____ b. Annual ethics training
 _____ c. Financial disclosure review
 _____ d. Internal program evaluation

- ___ e. Advice and counseling
- ___ f. Program administration (tracking systems, databases etc.)
- ___ g. Other: _____

4. Did your agency perform an internal ethics program review (self evaluation, IG review, etc.) in 2003?

___ Yes ___ No

(If yes, please answer a and b)

a. What organization within your agency conducted the review?

- ___ Agency Ethics Official(s)
- ___ Inspector General's Office
- ___ General Counsel's Office
- ___ Other: _____

b. Were you provided feedback from the review?

- ___ Yes, written
- ___ Yes, verbal
- ___ No feedback provided

EDUCATION AND TRAINING

1. _____ Number of employees required to receive initial ethics orientation?
 _____ Number of employees who received initial ethics orientation?

2. _____ Total number of employees who received annual ethics training?
 _____ Number of employees required to receive annual ethics training?
 _____ Number of required employees who received annual ethics training?

3. How do you ensure that your required employees receive annual ethics training? Check all that apply.

- | | |
|--------------------------------|--------------------------|
| ___ Attendance rosters | ___ Training evaluations |
| ___ Training management system | ___ Other _____ |

4. Identify the topical areas in which training was provided:

- | | |
|---|-------------------------------------|
| ___ 14 Principals of Ethical Conduct | ___ Conflicting Financial Interests |
| ___ Gifts | ___ Post Employment |
| ___ Impartiality | ___ Seeking Employment |
| ___ Misuse of Position | ___ Hatch Act |
| ___ Outside and Representational Activities | |
| ___ Other _____ | |

5. What kinds of training methods and materials did you use for your training? Check all that apply.

☐ Written materials
 ☐ Copies of the Standards of Conduct and/or agency supplemental regulations
 ☐ Summaries of the Standards of Conduct
 ☐ Pamphlets/Brochures
 ☐ Newsletters
 ☐ Self-study manual
 ☐ Hypothetical case studies
 ☐ Other: _____
☐ Videos
 ☐ OGE produced
 ☐ Agency produced
☐ Satellite/Videoconferencing
☐ Classroom instruction
☐ Individual briefings
☐ Computer/web-based training
☐ Other: _____

ETHICS OPINIONS, ADVICE AND COUNSELING

1. Please use the following scale to rate the topics on the frequency with which you provided opinions, advice and counseling. Frequency Scale: 1= Not at all, 2= Rarely, 3= Periodically, 4= Frequently and 5= Very Frequently.

| | <u>Frequency</u> | | | | |
|--|------------------|---|---|---|---|
| Outside employment/activities | 1 | 2 | 3 | 4 | 5 |
| Post-employment restrictions | 1 | 2 | 3 | 4 | 5 |
| Conflicting financial interests | 1 | 2 | 3 | 4 | 5 |
| Awards | 1 | 2 | 3 | 4 | 5 |
| Impartiality in performance of official duties | 1 | 2 | 3 | 4 | 5 |
| Misuse of position, Government resources and information | 1 | 2 | 3 | 4 | 5 |
| Travel, subsistence, and related expenses from non-Federal sources | 1 | 2 | 3 | 4 | 5 |
| Gift acceptance, excluding awards and travel, subsistence, and related expenses from non-Federal sources | 1 | 2 | 3 | 4 | 5 |

2. Who is authorized to provide written advice on standards of conduct and conflict of interest statutes? Mark all that apply. **If the DAEO is the General Counsel, please mark DAEO.**

☐ DAEO/Alternate DAEO/Deputies/Ethics Officials
☐ General Counsel/Regional Counsels/Staff Attorneys
☐ Supervisors
☐ Directors of Personnel/Staff
☐ Agency Head
☐ Other (specify): _____

3. How does your ethics office ensure that accurate opinions, advice and counsel are provided to employees? Mark all that apply.

☐ Review all written opinions
☐ Discuss verbal opinions prior to providing them to employees
☐ Review written opinions randomly
☐ Review ethics officials' phone logs
☐ Conduct periodic discussions with staff
☐ Offer training
☐ Other: _____

ENFORCEMENT OF STANDARDS OF ETHICAL CONDUCT, CRIMINAL AND CIVIL STATUTES

1. Report the number of disciplinary actions taken in 2003 based wholly or in part upon violations of the standards of ethical conduct provisions (5 C.F.R. part 2635) or the conflict of interest statutes in Title 18 of the United States Code.. For purposes of this question, disciplinary actions include removals, demotions, suspensions, and written reprimands or their equivalents.

☐ a. Gifts from outside sources
☐ b. Gifts between employees
☐ c. Conflicting financial interests
☐ d. Impartiality in performance of official duties
☐ e. Seeking other employment
☐ f. Misuse of position, Government resources, information
☐ g. Conflicting outside activities
☐ h. Compensation for teaching, speaking, and writing
☐ i. Compensation from non-Federal sources
☐ j. Indebtedness
☐ k. General principles
☐ l. Provision(s) in agency supplemental regulation
☐ m. Other (specify): _____

☐ **TOTAL**

2. Which office(s) within your agency make referrals of potential violations of the criminal conflict of interest statutes, 18 U.S.C. §§ 203, 205, 207, 208, and 209, to the Department of Justice (DOJ), including offices of U.S. Attorneys? Mark all that apply.

☐ DAEO (Ethics Officials) ☐ General Counsel
☐ Agency Head ☐ Other: _____
☐ IG

3. Which office(s) are responsible for notifying OGE when a referral of a potential violation of the criminal conflict of interest statutes (see question 2 above) have been made to the Department of Justice, including the U.S. Attorneys? Mark all that apply.

☐ DAEO (Ethics Officials)
☐ Agency Head
☐ IG
☐ General Counsel
☐ Other (specify): _____

PUBLIC FINANCIAL DISCLOSURE

1. Report the total number of public financial disclosure reports (SF 278) required to be filed in 2003 by permanent full-time employees, excluding special Government employees (see pages 8 and 9), and the total number of reports actually filed. Derive totals for required new entrant/termination reports from the number of appointments to and the number of terminations from positions during 2003. Some totals may include late filings actually received in 2004.

| | Nom./New Entrant | | Annual | | Termination | | Combination ¹ | | TOTAL | |
|-----------------------------|------------------|-------|--------|-------|-------------|-------|--------------------------|-------|-------|-------|
| | req. | filed | req. | filed | req. | filed | req. | filed | req. | filed |
| PAS ² | | | | | | | | | | |
| Non-Career SES ³ | | | | | | | | | | |
| Career SES ³ | | | | | | | | | | |
| Sched. C | | | | | | | | | | |
| Other ⁴ | | | | | | | | | | |
| TOTAL | | | | | | | | | | |

2. _____ Number of Schedule C employees exempted from the filing requirement by OGE?

¹ Includes reports filed to satisfy both annual and termination requirements, as well as new entrant and annual requirements.

² Presidential appointees confirmed by the Senate.

³ Senior Executive Service, Senior Foreign Service, Senior Cryptologic Service, Defense Intelligence Senior Executive Service, etc.

⁴ Includes members of the Uniformed Services, Administrative Law Judges, etc.

3. _____ Number of filers who requested filing extensions?
 _____ Number of filers who were granted filing extensions?
4. _____ Number of filers who requested waivers of the late filing fee?
 _____ Number of filers who were granted waivers of the late filing fee?
5. _____ Number of filers who paid the late filing fee?
6. _____ Number of requests your agency received for public release of 278s?
7. _____ Number of individual SF 278 reports requested to be released?
 _____ Number of PAS SF 278 reports requested?
 _____ Number of non-career SES SF 278 reports requested?
 _____ Number of career SES SF 278 reports requested?
8. Number of specific corrective or remedial (nondisciplinary) actions taken by public financial disclosure filers in 2003. Consider as a separate action each holding which has been divested, each outside position which has been terminated, and each entity for which a written disqualification (i.e., recusal) or 18 U.S.C. § 208(b) waiver was obtained.

| | Divestiture | Resignation | Written Dis- qualification | 18 § 208(b) Waiver | Reassign- ment | TOTAL |
|-------------------|-------------|-------------|-------------------------------|-----------------------|-------------------|-------|
| PAS | | | | | | |
| Non Career SES | | | | | | |
| Career SES | | | | | | |
| Sched. C | | | | | | |
| Other | | | | | | |
| TOTAL | | | | | | |

CONFIDENTIAL FINANCIAL DISCLOSURE

1. Total number of OGE form 450s required in 2003 and the actual number of OGE form 450s and OGE form 450As filed in 2003 by permanent full-time employees, excluding special Government employees.
 _____ Required OGE form 450s?
 _____ Filed OGE form 450s?
 _____ Filed Alternative OGE 450As?

2. Number of specific corrective or remedial (nondisciplinary) actions taken by confidential financial disclosure filers in 2003. Consider as a separate action each holding which has been divested, each outside position which has been terminated, and each entity for which a written disqualification (i.e., recusal) or 18 U.S.C. § 208(b) waiver was obtained.

_____ Divestiture
 _____ Resignation from outside position
 _____ Written disqualification
 _____ 18 U.S.C. § 208(b) waiver
 _____ Reassignment
 _____ **TOTAL**

ADVISORY COMMITTEES/SPECIAL GOVERNMENT EMPLOYEES⁵

1. _____ Number of Advisory Committee members?
2. _____ Number of special Government employees (SGE) in your agency?
3. Number of SGEs who served as advisory committee members or as experts/consultants and who were required to file financial disclosure reports in 2003. Include the total number who actually filed.

| | Confidential Reports | | Public Reports | |
|-------------------------|----------------------|-------|----------------|-------|
| | required | filed | required | filed |
| Advisory Committee Mem. | | | | |
| Experts/Consultants | | | | |
| Board Members | | | | |
| Commissioners | | | | |
| Other (specify): | | | | |
| TOTAL | | | | |

⁵ For purposes of this questionnaire, the term "special Government employee" (SGE) means an officer or employee who is retained, designated, appointed, or employed to perform temporary duties either on a full-time or intermittent basis, with or without compensation, for not more than 130 days during any period of 365 consecutive days. In addition to these officers and employees, the term includes:

- Part-time United States commissioners
- Part-time United States magistrates
- Independent counsels appointed under chapter 40 of title 28 and any person appointed by those independent counsels under section 594(c) of title 28, regardless of the number of days of appointment for either of these positions
- Reserve officers of the Armed Forces and officers of the National Guard of the United States (unless otherwise officers or employees of the United States) while on active duty solely for training or serving involuntarily

The terms "officer or employee" and "SGE" shall not include enlisted members of the Armed Forces.

3. _____ Number of SGEs not required to file a financial disclosure report in 2002?
4. Does your agency provide ethics program services for any boards or commissions that are independent of your agency?
_____ Yes (please provide the names of the boards and commissions on the lines below)
_____ No
- _____
- _____
- _____
5. _____ Number of § 208(b)(1) granted to special Government employees?
6. _____ Number of § 208(b)(3) granted to special Government employees?